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AO 442 (Rev. 11/11) Arrest Warrant

AUG 17 2022

UNITED STATES DISTRICT COURT United States Marshals Service
for the District of Alaska

UNITED STATES OF AMERICA)

vs.)

BRIAN KEVIN POWELL)

Defendant

Case Number: 3:22-CR-00061-JMK-KFR

USMS - D/ALASKA - WARRANTS

FID # 114 611 86

WARRANT # 2206-0817-1606-J

Entered NCIC 120

Entered APSIN

LAW ENFORCEMENT SENSITIVE
ARREST WARRANT

Removed NCIC

Removed APSIN

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay*(name of person to be arrested)* BRIAN KEVIN POWELL

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Pretrial Petition ☐ Order of the Court

This offense is briefly described as follows:

18:2422(b) Coercion of a Minor – Count 1; 18:221(a),(e) Sexual Exploitation of a Child – Production of Child Pornography
Count 2; 18:2252A(a)(2)(A),(b)(1) Sexual Exploitation of a Child-Receipt of Child Pornography – Count 3;
18:2252A(a)(5)(B),(b)(2) Sexual Exploitation of a Child – Possession of Child Pornography – Count 4; 18:1470 Transfer of
Obscene Material to a Minor – Count 5

Date: August 16, 2022

By s/Brenda Kappler, Deputy Clerk
Issuing officer's signature

City and state: Anchorage, Alaska

Brian D. Karth, Clerk of Court
Printed name and title

Return

This warrant was received on (date) 08-17-2022, and the person was arrested on (date) _____

at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

S. LANE TUCKER
United States Attorney

G. MICHAEL EBELL
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 West Seventh Avenue, #9, Room 253
Anchorage, Alaska 99513-7567
Phone: (907) 271-5071
Fax: (907) 271-1500
Email: Michael.ebell@usdoj.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,) No.
)
Plaintiff,	) <u>COUNT 1:</u>
	) COERCION AND ENTICEMENT OF
vs.	) A MINOR
	) Vio. of 18 U.S.C. § 2422(b)
BRIAN KEVIN POWELL,)
	) <u>COUNT 2:</u>
Defendant.	) SEXUAL EXPLOITATION OF A
	) CHILD – PRODUCTION OF CHILD
	) PORNOGRAPHY
	) Vio. of 18 U.S.C. § 2251(a), (e)
)
	) <u>COUNT 3:</u>
	) SEXUAL EXPLOITATION OF A
	) CHILD – RECEIPT OF CHILD
	) PORNOGRAPHY
	) Vio. of 18 U.S.C. § 2252A(a)(2)(A),
	) (b)(1)
)
)
)
)

-) COUNT 4:
-) SEXUAL EXPLOITATION OF A
-) CHILD – POSSESSION OF CHILD
-) PORNOGRAPHY
-) Vio. of 18 U.S.C. § 2252A(a)(5)(B),
-) (b)(2)
-)
-) COUNT 5:
-) TRANSFER OF OBSCENE
-) MATERIAL TO A MINOR
-) Vio. of 18 U.S.C. § 1470
-)
-) CRIMINAL FORFEITURE
-) ALLEGATION:
-) 18 U.S.C. § 2253, Rule 32.2(a)
-)

INDICTMENT

The Grand Jury charges that:

COUNT 1

Between on or about January 3, 2022, and May 11, 2022, within the District of Alaska and elsewhere, the defendant, BRIAN KEVIN POWELL, using a facility and means of interstate and foreign commerce, did knowingly, and knowingly attempted to, persuade, induce, entice, and coerce “Victim 1,” an individual who had not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense, including, but not limited to, Production of Child Pornography, in violation of 18 U.S.C. § 2251(a), Sex Trafficking of a Minor, in violation of 18 U.S.C. § 1591(a)(1), and Sexual Abuse of a Minor in the Second Degree, in violation of Alaska Statute § 11.41.436.

All of which is in violation of 18 U.S.C. § 2422(b).

COUNT 2

Between on or about January 3, 2022, and May 11, 2022, within the District of Alaska and elsewhere, the defendant, BRIAN KEVIN POWELL, did knowingly employ, use, persuade, induce, entice, and coerce a minor, to wit: "Victim 1," with the intent that such minor engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing that such visual depiction would be transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

All of which is in violation of 18 U.S.C. § 2251(a), (e).

COUNT 3

Between on or about January 3, 2022, and May 11, 2022, within the District of Alaska and elsewhere, the defendant, BRIAN KEVIN POWELL, did knowingly receive child pornography, as defined at 18 U.S.C. § 2256(8), using any means and facility of interstate and foreign commerce, and that had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All of which is in violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

COUNT 4

Between on or about January 3, 2022, and May 11, 2022, within the District of Alaska and elsewhere, the defendant, BRIAN KEVIN POWELL, did knowingly possess and knowingly access with intent to view material containing images of child pornography, as defined at 18 U.S.C. § 2256(8), that had been transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, including by computer, and that was produced using materials that have been transported in or affecting interstate or foreign commerce by any means, including by computer.

All of which is in violation of 18 U.S.C. § 2252A(a)(5)(B), (b)(2).

COUNT 5

Between on or about January 3, 2022, and May 11, 2022, within the District of Alaska and elsewhere, the defendant, BRIAN KEVIN POWELL, using any facility and means of interstate and foreign commerce, did knowingly, and knowingly attempted to do so, transfer obscene matter to another individual who had not attained the age of 16 years, knowing that such individual had not attained the age of 16 years.

All of which is in violation of 18 U.S.C. § 1470.

CRIMINAL FORFEITURE ALLEGATION

The allegations contained in Counts 2, 3, and 4 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 2253 and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

Upon conviction of any offenses in violation of 18 U.S.C. §§ 2251 and 2252A, as alleged in this Indictment, defendant BRIAN KEVIN POWELL, shall forfeit to the United States, pursuant 18 U.S.C. § 2253, his interest in any and all matter which contains visual depictions produced, transported, mailed, shipped, or received in violation thereof; any property constituting or traceable to gross profits or other proceeds the defendant obtained as a result of the aforementioned violation; and any and all property used or intended to be used to commit and to promote the commission of the aforementioned violations, including but not limited to all electronic devices currently in the possession of law enforcement.

All pursuant to 18 U.S.C. § 2253 and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

s/ G. Michael Ebell
G. MICHAEL EBELL
Assistant U.S. Attorney
United States of America

s/ Bryan Wilson for
S. LANE TUCKER
United States Attorney
United States of America

DATE: August 16, 2022